

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS**

In re:

COREY J. LETH and
DENISE E. LETH,

Debtors

Chapter 13

Case No. 12-13994-JNF

**TRUSTEE'S RESPONSE TO MOTION TO
APPROVE LOAN MODIFICATION**

Now comes Carolyn A. Bankowski, Standing Chapter 13 Trustee ("Trustee"), and files her Response to the Motion to Approve Loan Modification (the "Motion"), as follows:

1. The Trustee has no objection to the Loan Modification or the terms therein. Further, the Trustee has no objection to the Motion per se.
2. However, as a result of the loan modification, the Debtors must file amended schedules I and J that reflect the change in circumstances as a result of the loan modification. Specifically, the Debtors' monthly mortgage payment is being reduced from \$3,019.00 per schedule J to \$12,089.29 including escrow which leaves an additional \$929.71 per month in disposable income for the remainder of the applicable commitment period.
3. Further, the Debtors must file an amended plan that reflects the change in circumstance due to the loan modification, including an increase in the dividend to unsecured creditors since the Debtors will have additional disposable income. The confirmed plan provides for payments of \$190.00 per month with a dividend 0% and a payment of \$12,213.02 to Greentree for the first mortgage arrears which will no longer be paid as a result of the modification. The amended plan must delete the mortgage arrears claim, include the amount paid to date by the Trustee on the claim and devote the additional funds that would have been paid to Greentree to the unsecured creditors.

WHEREFORE, the Trustee respectfully requests that the Court allow the Motion and issue an order:

- a. Requiring the Debtors to file further amended schedules I and J reflecting the loan modification and increase in monthly disposable income as a result of the loan modification:
- b. Requiring the Debtors to file a further amended plan reflecting the loan modification and increasing the dividend to unsecured creditors; and
- c. For such other relief as is appropriate.

Dated: November 15, 2013

Respectfully submitted,
Carolyn A. Bankowski
Standing Chapter 13 Trustee
By: /s/ Patricia A. Remer
Carolyn A. Bankowski, BBO#631056
Patricia A. Remer, BBO #639594
Office of the Chapter 13 Trustee
PO Box 8250
Boston, MA 02114-0022
(617) 723-1313
13trustee@ch13boston.com

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS**

In re:

COREY J. LETH and
DENISE E. LETH,

Debtors

Chapter 13

Case No. 12-13994-JNF

Certificate of Service

The undersigned hereby certifies that on November 15, 2013, a copy of the Trustee's Response to Motion to Approve Loan Modification was served via first class mail postage prepaid, or by electronic mail, upon the debtor and debtor's counsel at the addresses set forth below.

Corey and Denise Leth
167 Grove St
Kingston, MA 02364

Lawrence L. Hale
Law Office of Lawrence L. Hale
128 Main Street
Suite 7
Carver, MA 02330

/s/ Patricia A. Remer
Patricia A. Remer, BBO#639594